

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

GARY ORAM, JR.,

Plaintiff,

vs.

JAMES DOLAN, KEN
PETERSON, and DON
GULBERSON,

Defendants.

Cause No. CV 11-00026-BU-RFC-CSO

ORDER DENYING MOTIONS TO COMPEL

Pending are Plaintiff Gary Oram's Motions to Compel. *Court Doc. 31, 33, 35.* Oram has failed to comply with Rule 37 of the Federal Rules of Civil Procedure and Local Rule 7.1(c)(1) and therefore the motions will be denied without prejudice.

Rule 37 of the Federal Rules of Civil Procedure requires motions to compel to "include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Similarly, Local Rule 7.1(c)(1) provides that, "[t]he text of the

motion must state that other parties have been contacted and state whether any party objects to the motion." The Court previously provided Mr. Oram with a copy of both rules. *See Court Doc. 28-1, pp. 12, 16.* There is no required certification in any of the motions filed by Mr. Oram.

Accordingly, IT IS HEREBY ORDERED that Oram's Motions to Compel (*Court Doc. 31, 33, 35*) are denied without prejudice. Oram may refile these motions only if he first confers with Defendants' counsel and is unable to resolve the discovery issues without Court action.

DATED this 19th day of April, 2012.

/s/ Carolyn S. Ostby
United States Magistrate Judge